

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Gram Panchayats – Cancellation of resolutions dt.22.3.2010 and 27.3.2010 passed by the N P Kunta Gram Panchayat, Ananthapur District – Notification – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.IV) DEPARTMENT

G.O.Ms.No. 107

Dated: 10.5.2011
Read the following:-

- 1) From the Commissioner for Panchayat Raj & Rural Employment, Hyd.,
Lr.No.5038/CPR & RE/D1/ 2010, dt.24.6.2010.
- 2) Government Memo No.14532/Pts.IV/A1/2010-4, dt. 25.8.2010.
- 3) From the District Panchayat Officer, Ananthapur, Lr. Roc. No.1065
/2010/A2, dt. 16.12.2010.

ORDER :

In the reference 1st read above, the Commissioner, Panchayat Raj & Rural Employment, Hyderabad while enclosing the letter of District Panchayat Officer, Ananthapur has requested the Government to examine the issue in the light of the Hon'ble High Court of Andhra Pradesh orders dated 20-4-2010 and issue necessary orders. The Hon'ble High Court, in its order dt.20.4.2010 in W.P.No.8733/10 held that when the petitioner is aggrieved by the resolution of the Grama Panchayat, her remedy is to approach the Government and seek cancellation of the resolution under section 246 of the Andhra Pradesh Panchayat Raj Act, 1994. In this Writ Petition, disputed questions of fact, whether the resolution dated 22-03-10 is legal or resolution dated 27-03-10 is legal and whether the said resolutions were passed or not can not be gone into. If so advised, the petitioner may approach the 1st respondent herein. Accordingly the High Court has dismissed the W.P.

Government have conducted a hearing on 4.8.2010 after heard the arguments, Government have opined that both the resolutions are not passed in accordance with the rules. Both the parties have agreed to this decision. Accordingly, In the reference 2nd read above, Government have issued a show cause notice to the NP. Kunta Gram Panchayat, Ananthapur Dist as to why the resolution No. Nil, dt: 22.03.2010 and resolution No. Nil, dt.27-03-10 passed by them cannot be cancelled in exercise of the powers conferred under section 246 (1) of Andhra Pradesh Panchayat Raj Act, 1994.

In reference 3rd read above, in response to the show cause notice, the District Panchayat Officer, Ananthapur has reported that the Extension Officer, NP Kunta was conducted the emergency meeting on 8.11.2010 on the decision taken by the Govt. for cancellation of the above resolutions. But, the NP Kunta Gram Panchayat has not discussed the Government decision for cancellation of the resolutions. The members are opined that the meeting was not conducted on 22.3.2010 and the meeting was conducted on 27.3.2010. The explanation submitted by the Gram Panchayat, NP Kunta is not satisfactory.

Government, after careful examination have decided to cancel the resolutions passed by N P Kunta Gram Panchayat, Ananthapur District as mentioned at para (2) above under section 246 (1) of Andhra Pradesh Panchayat Raj Act.

Therefore, the appended Notification will be published in an Extraordinary Issue of the Andhra Pradesh Gazette dated 20.5.2011.

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The Commissioner, Printing Stationery and Stores Purchase, Hyderabad, is requested to publish the Notification and furnish 25 copies of Andhra Pradesh Gazette to Government immediately.

NOTIFICATION

In exercise of the powers conferred under sub section (1) of section 246 of the Andhra Pradesh Panchayat Raj Act, 1994 (Andhra Pradesh Act. No. 13 Of 1994) the Governor of Andhra Pradesh hereby cancel the following resolutions passed by N P Kunta Gram Panchayat, Ananthapur District .

1. Resolution, dated 22-03-2010
2. Resolution, dated 27-03-2010

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**DR. RAJIV SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT**

To,
The Commissioner, Printing Stationery and Stores Purchase, Hyderabad.
The Commissioner, Panchayat Raj & Rural Employment, Hyderabad, Hyderabad.
The N.P. Kunta Gram Panchayat
(Through the District Collector, Ananthapur District)

Copy to:

1. The District Collector, Ananthapur
2. The District Panchayat Officer, Ananthapur
3. P.S. to Minister (Panchayat Raj)
4. The Panchayat Raj & Rural Development (General) Department,
5. Law (A) Department.
6. Sc/Sf.

// FORWARDED :: BY ORDER //

SECTION OFFICER